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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO/OAKLAND DIVISION

V.L., <i>et al.</i> ,)	Case No.: CV 09-04668 CW
)	
Plaintiffs)	STIPULATION AND ORDER RE:
)	NOTICE
v.)	
)	
WAGNER, <i>et al.</i> ,)	
)	
Defendants)	

1 WHEREAS, on October 19, 2009, the Court preliminarily enjoined Defendants from
2 implementing the provisions of ABX4 4 that amended Sections 12309(e) and 12309.2 of the
3 California Welfare and Institutions Code to terminate from eligibility for IHSS services those
4 recipients with Functional Index Scores of less than 2.0 and to eliminate domestic and related
5 services for recipients with functional ranks of less than 4 for those services;

6 WHEREAS, the parties agreed to work jointly on a form of notice to be sent to potentially
7 affected recipients, informing them of this Court's preliminary injunction, and that their IHSS
8 services would not be terminated or reduced as provided in ABX4 4;

9 WHEREAS, the parties agree that Defendants shall mail via First Class mail a Notice in the
10 form attached hereto as Exhibit A to recipients whose IHSS services would have been terminated
11 or reduced by operation of ABX4 4;

12 WHEREAS, the parties agree that Defendants shall begin mailing the Notice to Recipients
13 on October 27, 2009 and mail out all such Notices no later than October 29, 2009;

14 WHEREAS, the parties agree that the Notice shall be printed in Arial 14 point font, which
15 maximizes readability for recipients with vision impairments;

16 WHEREAS, the parties agree that Defendants shall translate the Notice into Spanish,
17 Russian, Armenian, Vietnamese, and Chinese;

18 WHEREAS, the parties agree that the Notice will not be in the standard Notice of Action
19 ("NOA") format generally used to communicate changes in services to IHSS recipients;

20 WHEREAS, the parties agree that Defendants shall include with the Notice a notification of
21 free translation services, in the form attached hereto as Exhibit B;

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1 WHEREAS, the parties agree that Defendants shall post the Notice and the text of this
2 Court's preliminary injunction on their official website, www.dss.cahwnet.gov;

3 THEREFORE, the parties so stipulate and agree, and request that the Court so order.

4 Dated: October 23, 2009

Respectfully Submitted,

5
6 By: /s/ Gregory D. Brown
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15 Dated: October 23, 2009

Respectfully Submitted,

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GENERAL ORDER 45 ATTESTATION

I, Gregory D. Brown, am the ECF user whose ID and password are being used to file this stipulation. In compliance with General Order 45, X.B., I hereby attest that plaintiffs counsel have concurred in the filing of this document with their electronic signatures.

Dated: October 23, 2009

/s/ Gregory D. Brown
Gregory D. Brown

GOOD CAUSE APPEARING, PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 10/27/09



Hon. Claudia Wilken
United States District Judge